Notice of Allowability	Application No.	Applicant(s)
	10/015,444	SUGGS ET AL.
	Examiner	Art Unit
	William L. Miller	3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amendment received 09-27-2004*.

2. ☒ The allowed claim(s) is/are *16-24*.

3. ☒ The drawings filed on *11 December 2001* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 09272004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *12072004* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl Davis II on 12-06-2004.

The application has been amended as follows:

In the claims:

Claims 1-15 (canceled).

16. (currently amended) A spiral wound gasket formed by jacketing ~~comprising~~ an elongate band ~~jacketed by~~ with a build up of a plurality of discrete expanded intercalated graphite worms ~~attached to the elongate band~~, and wrapping the jacketed elongate band ~~wrapped~~ in a plurality of overlapping turns to define a radially thick gasket having an inner diameter for being exposed to a material to be sealed and an outer diameter, which wrapping compresses a portion of the jacket of the expanded intercalated graphite worms ~~defining interior portions of a gasket having a first density~~ between adjacent overlapping turns of the elongate band to a first density to define interior portions of the gasket while a remaining portion of the jacket ~~and defining opposing flange sealing faces~~ of expanded intercalated graphite worms defines opposing flange sealing faces of the gasket ~~packed to~~ having a second density lower than said first density.

17. (previously presented) The spiral wound gasket as recited in claim 16, wherein the elongate band defines a protruding crimp extending along a longitudinal axis thereof.

18. (previously presented) The spiral wound gasket as recited in claim 17, wherein the crimp defines a U-shape in cross-section.

19. (previously presented) The spiral wound gasket as recited in claim 16, wherein the elongate band is metallic.

20. (previously presented) The spiral wound gasket as recited in claim 16, wherein the elongate band defines a radially inward portion and a radially outward portion, each radially inward portion and radially outward portion having overlapping segments of adjacent turns of the elongate band which overlapping segments are free of jacketing, and further comprising a connection between the overlapping segments in each respective radially inward portion and radially outward portion.

21. (new) A spiral wound gasket prepared by a process comprising the steps of:

jacketing an elongate band with a build up of a plurality of discrete expanded intercalated graphite worms;

wrapping the jacketed elongate band in a plurality of overlapping turns to define a radially thick gasket having an inner diameter for being exposed to a material to be sealed and an outer diameter, the step of wrapping compresses a portion of the jacket of the expanded intercalated graphite worms between adjacent overlapping turns of the elongate band to a first density to define interior portions of the gasket while a remaining portion of the jacket defines opposing flange sealing faces of the gasket having a second density lower than the first density; and

connecting in a radially inward portion and a radially outward portion overlapped turns of the elongate band free of the jacket to secure the gasket together.

22. (new) The spiral wound gasket as recited in claim 21, wherein the elongate band defines a protruding crimp extending along a longitudinal axis thereof.

23. (new) The spiral wound gasket as recited in claim 22, wherein the crimp defines a U-shape in cross-section.

24. (new) The spiral wound gasket as recited in claim 21, wherein the elongate band is metallic.

2. The following is an examiner's statement of reasons for allowance: Regarding claim 16, the previously applied Suggs et al. reference (US#5785322) teaches away from a spiral wound gasket. Koch (US#5913522) and Allen et al. (US#5275423) each disclose a spiral wound gasket comprising an elongate band jacketed by a sealing material. Shane et al. (US#3404061) teaches a sealing material of intercalated graphite worms. However, it would not have been obvious to one of ordinary skill in the art to modify Koch or Allen in view of the teachings of Shane such that wrapping the jacketed band compressed a portion of the jacket between adjacent overlapping turns of the band to a first density while a remaining portion of the jacket defined opposing flange sealing faces having a second density lower than the first density. Claim 21 includes the allowable subject matter discussed above and is therefore allowable for at least the same reason(s).

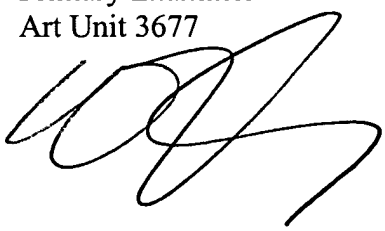
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is 703 305 3978. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller
Primary Examiner
Art Unit 3677



WLM
12-07-2004